

**Declaration and Power of Attorney For Patent Application**

## 特許出願宣言書及び委任状

## Japanese Language Declaration

日本語宣言書

OIPE JC111 EDITION  
APR 29 2002  
T-RE BADEL

下記の氏名の発明者として、私は以下の通り宣言します。

As a below named inventor, I hereby declare that:

私の住所、私音羽、国籍は下記の私の氏名の後に記載された通りです。

My residence, post office address and citizenship are as stated  
next to my signature.

下記の名称の発明に関して請求範囲に記載され、特許出願している発明内容について、私が最初かつ唯一の発明者（下記の氏名が一つの場合）もしくは最初かつ共同発明者であると（下記の名称が複数の場合）信じています。

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled  
**INSTRUMENT AND METHOD FOR BLOOD SEPARATION  
AND PREPARING METHOD, QUANTIFYING METHOD  
AND PRESERVING CONTAINER FOR BIOLOGICAL  
SAMPLE**

上記発明の明細書（下記の欄で×印がついていない場合は、  
本欄に添付）は、

the specification of which is attached hereto unless the following box is checked:

- \_\_\_\_月\_\_\_\_日に提出され、米国出願番号または特許協定条約  
国際出願番号を\_\_\_\_\_とし。  
(該当する場合) \_\_\_\_\_に訂正されました。

was filed on November 29, 2001 as United States Application Number or PCT International Application Number 09/995, 812 and was amended on (if applicable).

私は、特許請求範囲を含む上記訂正後の明細書を検討し、内容を理解していることをここに表明します。

I hereby state that I have reviewed and understand the contents of the above Identified specification, including the claims, as amended by any amendment referred to above.

私は、連邦規則法典第37編第1条56項に定められるとおり、特許資格の有無について重要な情報を開示する義務があることを認めます。

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

NIXON PEABODY LL.

**Japanese Language Declaration  
(日本語宣言書)**

私は、米国法典第35編119条(a)-(d)項又は365条(b)項に基き下記の、米国以外の国の少なくとも一ヵ国を指定している特許協力条約365(b)項に基づく国際出願。又は外国での特許出願もしくは発明者証の出願についての外国優先権をここに主張するとともに、優先権を主張している。本出願の前に出願された特許または発明者証の外国出願を以下に、枠内をマークすることで、示しています。

**Prior Foreign Application(s)**

外国での先行出願

2000-297

(Number)

(番号)

JAPAN

(Country)

(国名)

2001-630

(Number)

(番号)

JAPAN

(Country)

(国名)

私は、第35編米国法典119条(e)項に基いて下記の米国特許出願規定に記載された権利をここに主張いたします。

(Application No.) (出願番号)	(Filing Date) (出願日)
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私は、下記の米国法典第35編120条に基いて下記の米国特許出願に記載された権利、又は米国を指定している特許協力条約365条(c)に基く権利をここに主張します。また、本出願の各請求範囲の内容が米国法典第35編112条第1項又は特許協力条約で規定された方法で先行する米国特許出願に開示されていない限り、その先行米国出願を提出日以降で本出願者在日本国内または特許協力条約国提出日までの期間中に入手された、連邦規則法典第37編1章56項で定義された特許資格の有無に関する重要な情報について開示義務があることを認識しています。

<u>09/753, 715</u>	<u>January 4, 2001</u>
(Application No.) (出願番号)	(Filing Date) (出願日)

(Application No.) (出願番号)	(Filing Date) (出願日)
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私は、私自身の知識に基いて本宣言書中で私が行なう表明が真実であり、かつ私の入手した情報と私の信じるところに基づく表明が全て真実であると信じていること、さらには故意になされた虚偽の表明及びそれと同等の行為は米国法典第18編第1001条に基づき、罰金または拘禁、もしくはその両方により処罰されること、そしてそのような故意による虚偽の声明を行なえば、出願した、又は既に許可された特許の有効性が失われるることを認成し、よってここに上記のごく宣言を致します。

I hereby claim foreign priority under Title 35, United States Code, Section 119 (a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

Priority Not Claimed  
優先権主張なし

<u>5/1/2000</u>	<input type="checkbox"/>
(Day/Month/Year Filed) (出願年月日)	

<u>5/1/2001</u>	<input type="checkbox"/>
(Day/Month/Year Filed) (出願年月日)	

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below.

(Application No.) (出願番号)	(Filing Date) (出願日)
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I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s), or 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of application.

Pending

(Status: Patented, Pending, Abandoned) (現況: 特許許可済、係属中、放棄済)
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(Status: Patented, Pending, Abandoned) (現況: 特許許可済、係属中、放棄済)
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**Japanese Language Declaration**  
(日本語宣言書)

委任状： 私は下記の発明者として、本出願に関する一切の手続きを米特許商標局に対して遂行する弁理士または代理人として、下記の者を指名いたします。（弁理士、または代理人の氏名及び登録番号を明記のこと）

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith (list name and registration number)

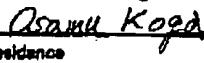
Daniel W. Sixbey, (Reg. No. 20,932)  
Charles M. Leedom, Jr. (Reg. No. 26,477)  
David S. Safran (Reg. No. 27,997)  
Donald R. Studebaker (Reg. No. 32,815)  
Tim L. Brackett (Reg. No. 36,092)  
Robert M. Schulman (Reg. No. 31,196)  
Robin C. Clark (Reg. No. 40,956)  
Marc S. Kaufman (Reg. No. 35,212)

Stuart J. Friedman (Reg. No. 24,312)  
Gerald J. Ferguson, Jr. (Reg. No. 23,016)  
Thomas W. Cole (Reg. No. 28,290)  
Jeffrey L. Costello (Reg. No. 35,483)  
Eric J. Robinson (Reg. No. 38,285)  
Thomas M. Blassey (Reg. No. 33,475)  
Daniel S. Song (Reg. No. 43,143)  
Corinne R. Gorski (Reg. No. 34,339)

Send Correspondence to:

Donald R. Studebaker, Esquire

NIXON PEABODY LLP  
8180 Greensboro Drive, Suite 800  
McLean, Virginia 22102  
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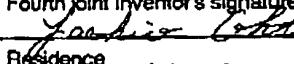
唯一または第一発明者名		Full name of sole or first inventor Hiromi NANBA	
発明者の署名	日付	Inventor's signature	Date  January 18, 2002
住所		Residence	Nakano-Ku, Tokyo, JAPAN
国籍		Citizenship	JAPAN
私書箱		Post Office Address	Sharumu 202, 1-2-11, Honcho, Nakano-Ku, Tokyo, JAPAN
第二共同発明者		Full name of second joint inventor, if any Osamu KOGA	
第二共同発明者	日付	Second Inventor's signature	Date  January 18, 2002
住所		Residence	Minamitakaki-Gun, Nagasaki-Ken, JAPAN
国籍		Citizenship	JAPAN
私書箱		Post Office Address	81-2, Ozono, Arie-Cho, Minamitakaki-Gun, Nagasaki-Ken, JAPAN

(第三以降の共同発明者についても同様に記載し、署名をすること)

(Supply similar information and signature for third and subsequent joint inventors.)

Japanese Language Declaration  
(日本語宣言書)

第三の共同発明者の氏名	Full name of third joint inventor, if any Masatoshi HORITA	
第三の共同発明者の署名	日付	Third joint Inventor's signature  Date January 18, 2002
住所	Residence Shimabara-Shi, Nagasaki-Ken, JAPAN	
国籍	Citizenship JAPAN	
郵便の宛先	Post Office Address 8738-13, Shinyama 1-Chome, Shimabara-Shi, Nagasaki-Ken, JAPAN	

第四の共同発明者の氏名	Full name of fourth joint inventor, if any Yoshio OHTA	
第四の共同発明者の署名	日付	Fourth joint Inventor's signature  Date January 18, 2002
住所	Residence Okayama-Shi, Okayama-Ken, JAPAN	
国籍	Citizenship JAPAN	
郵便の宛先	Post Office Address 1-7-31, Kanda-Cho, Okayama-Shi, Okayama-Ken, JAPAN	

第五の共同発明者の氏名	Full name of fifth joint inventor, if any	
第五の共同発明者の署名	日付	Fifth joint Inventor's signature Date
住所	Residence	
国籍	Citizenship	
郵便の宛先	Post Office Address	

第六の共同発明者の氏名	Full name of sixth joint inventor, if any	
第六の共同発明者の署名	日付	Sixth joint Inventor's signature Date
住所	Residence	
国籍	Citizenship	
郵便の宛先	Post Office Address	

(第六またはそれ以降の共同発明者に対しても同様な情報および署名を提供すること。)

(Supply similar information and signature for third and subsequent joint inventors.)

## United States Patent Rights

Attorney Docket No.: \_\_\_\_\_

## ASSIGNMENT

WHEREAS, Hiromi NANBA, Osamu KOGA, Masatoshi HORITA and Yoshio OHTA

(hereinafter designated as the undersigned) has (have) invented certain new and useful improvements in INSTRUMENT AND METHOD FOR BLOOD SEPARATION, AND PREPARING METHOD, QUANTIFYING METHOD AND PRESERVING CONTAINER FOR BIOLOGICAL SAMPLE for which an application for Letters Patent of the United States of America was filed on November 29, 2001; and assigned Serial No. \_\_\_\_\_, and;

WHEREAS, LEISURE, INC. of 5-2-2, Jingumae, Shibuya-Ku, Tokyo, JAPAN, its heirs, successors, legal representatives and assigns (hereinafter designated as the Assignee) is desirous of acquiring the entire right, title and interest in and to said invention and in and to any Letters Patent(s) that may be granted therefor in the United States of America;

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to the undersigned in hand paid, the receipt of which is hereby acknowledged, and other good and valuable consideration, the undersigned has (have) sold, assigned and transferred, and by these presents do sell, assign and transfer unto said Assignee the full and exclusive right to the said invention in the United States of America and its territories and for all foreign countries, dependencies and possessions and the entire right, title and interest in and to any and all Letters Patent(s) which may be granted therefor in the United States of America and its territories, dependencies and possessions, and in and to any and all divisions, reissues, continuations and extensions thereof for the full term or terms for which the same may be granted.

The undersigned agree(s) to execute all papers necessary in connection with this application and any continuing, divisional or reissue applications thereof and also to execute separate assignments in connection with such applications as the Assignee may deem necessary or expedient.

The undersigned agree(s) to execute all papers necessary in connection with any interference which may be declared concerning this application or any continuation, division or reissue thereof or Letters Patent(s) or reissue patent issued thereon and to cooperate with the Assignee in every way possible in obtaining and producing evidence and proceeding with such interference.

The undersigned agree(s) to execute all papers and documents and to perform any act which may be necessary in connection with claims under or provisions of the International Convention for the Protection of Industrial Property or similar agreements.

RECORDATION FORM COVER SHEET  
PATENTS ONLY

To the Honorable Commissioner of Patent and Trademarks. Please record the attached original documents or copy thereof.

1. Name of conveying party(ies): HIROMI NANBA; OSAMU KOGA; MASATOSHI HORITA; YOSHIO OHTA

Additional name(s) of conveying party(ies) attached? Yes  No

2. Name and address of receiving party(ies):

Name: Leisure, Inc.  
Address: 5-2-2, Jingumae, Shibuya-Ku, Tokyo, Japan

Additional name(s) & addresses(es) attached? Yes  No

3. Name of Conveyance:

Assignment  
 Security Agreement  
 Other

Merger  
 Change of Name

Execution Date: January 18, 2002

4. Application number(s) or patent number(s):

A: Patent Application No. 09/995,812

B. Patent No.(s)

Additional numbers attached? Yes  No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Donald R. Studebaker Nixon Peabody LLP  
Street Address: 8180 Greensboro Drive, Suite 800  
City: McLean State: Virginia ZIP 22102

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41): \$40.00

Enclosed  
 Authorized to be charged to deposit account  
 Authorized to charge any deficiency in the payment of the required fee(s) or credit any overpayment to Deposit /  
No. 19-2380.

8. Deposit Account Number: 19-2380  
(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of original document.

Donald R. Studebaker

Name of Person Signing

Total number of pages comprising cover sheet, attachments and document: 3

January 25, 2002  
SignatureDate

NIXON PEABODY L

The undersigned agree(s) to perform all affirmative acts which may be necessary to obtain a grant of a valid United States patent(s) to the Assignee and to vest all rights therein hereby conveyed to said Assignee as fully and entirely as the same would have been held by the undersigned if this Assignment and sale had not been made.

The undersigned hereby authorize(s) and request(s) the Commissioner of Patents and Trademarks to issue any and all Letters Patents of the United States of America resulting from said application or any division or divisions or continuing or reissue applications thereof to the said Assignee, as Assignee of the entire interest, and hereby covenants that he has (they have) the full right to convey the entire interest herein assigned, and that he has (they have) not executed, and will not execute, any agreement in conflict herewith.

The undersigned hereby grant(s) the law firm of Nixon Peabody LLP the power to insert on this Assignment any further identification which may be necessary or desirable in order to comply with the rules of the U.S. Patent and Trademark Office for recordation of this document.

*In witness thereof*, this Assignment has been executed by the undersigned on the date(s) opposite the undersigned name(s).

Date January 18, 2002, Name of Inventor 難波 寛己 (SEAL) Hiromi NANBA

Date January 18, 2002, Name of Inventor 小川 実 (SEAL) Osamu KOGA

Date January 18, 2002, Name of Inventor 森田 正 (SEAL) Masatoshi HORITA

Date January 18, 2002, Name of Inventor 大塚 義 (SEAL) Yoshio OHTA

Date \_\_\_\_\_, Name of Inventor \_\_\_\_\_ (SEAL)

(This assignment should preferably be acknowledged before a United States Consul or Notary Public. If not, then the execution by the Inventor(s) should be witnessed by at least two other persons who should sign here.)

Witness Kosuke ARAI  
(name)

Kosuke Arai  
(signature)

Witness Shigeo HASEGAWA  
(name)

Shigeo Hasegawa  
(signature)

Witness Noriyuki NOMURA  
(name)

Noriyuki Nomura  
(signature)